

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON OCTOBER 27, 2004, WITH THE FOLLOWING MEMBERS PRESENT: MARY C. WALKER, PRESIDENT, ROBERT L. PROUD, VICE PRESIDENT AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 11:00 A.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO THE FLAG.

LET THE RECORD SHOW: Daniel Breyer, Assistant Prosecuting Attorney, addressed the Board in regards to potential for voter fraud within Clermont County. He stated the Prosecutor's Office will fully investigate and enforce the laws against voter fraud.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 178-04/RESOLUTION GRANTING ANNEXATION OF 37.069 ACRES OF LAND OWNED BY ALMA J. SUTTON TO THE VILLAGE OF AMELIA IN CLERMONT COUNTY, OHIO....04-0913-009...ADOPTED

LET THE RECORD SHOW: David Frey, Assistant Prosecuting Attorney, addressed the Board in regards to the proposed petition for annexation of 37.069 acres from Pierce Township to the Village of Amelia, Clermont County, Ohio. Mr. Frey stated all seven requirements of the Ohio Revised Code have been met and recommends approval for the proposed annexation.

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Pursuant to Section 709.023 (F) of the Ohio Revised Code, the Board of County Commissioners adopt Resolution Number **178-04** resolving to grant the Petition for Annexation of 37.069 Acres of Land situated within Pierce Township to the Village of Amelia, Clermont County, Ohio, filed in the Office of the Board of County Commissioners at 1:48 P.M. on Monday, September 13, 2004, by Richard P. Ferenc, Attorney at Law, 332 East Main Street, Batavia, Ohio 45103, for and on behalf of Ron Gibbs, 1252 Goshen Pike, Milford, Ohio 45150, the designated Agent for the Petitioner, Alma J. Sutton, whose mailing address is 3298 Jenny Lind Road, Amelia, Ohio 45102, and the sole owner of the real estate sought to be annexed.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 175-04/A RESOLUTION DETERMINING THE NECESSITY OF AND AUTHORIZING THE ISSUANCE AND SALE OF ADJUSTABLE RATE DEMAND HEALTHCARE FACILITIES REVENUE BONDS, SERIES 2004 (S.E.M. HAVEN, INC. PROJECT) OF THE COUNTY OF CLERMONT, OHIO, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,000,000.00; AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT OF LEASE AND A SUBLEASE IN CONNECTION THEREWITH; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE TO SECURE SUCH SERIES 2004 BONDS; AUTHORIZING A BOND PURCHASE AGREEMENT; AUTHORIZING A PRELIMINARY OFFICIAL STATEMENT AND A FINAL OFFICIAL STATEMENT; AUTHORIZING A REMARKETING AGREEMENT; AUTHORIZING A TAX REGULATORY AGREEMENT; AND

**AUTHORIZING OTHER DOCUMENTS IN CONNECTION WITH THE
ISSUANCE OF THE SERIES 2004 BONDS...03-0618-001YADOPTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt Resolution Number **175-04** resolving to authorize the issuance and sale of Adjustable Rate Demand Healthcare Facilities Revenue Bonds, Series 2004, of the County of Clermont, Ohio, in an aggregate principal amount not to exceed \$5,000,000.00, for the S.E.M. Haven, Inc. Project, for the purpose of financing the acquisition, renovation, construction, equipping, and installation of certain hospital facilities, as that term is defined in Section 140.01 of the Ohio Revised Code, including, without limitation, acquisition, construction, renovation and equipping of improvements to the long-term care facility known as S.E.M. Haven Health and Residential Care Center located at 225 Cleveland Avenue, Milford, Ohio 45150, including without limitation, skilled nursing and assisted living facilities, which are owned and operated by S.E.M. Haven, Inc.; authorizing the execution and delivery of an agreement of lease and a sublease in connection therewith; authorizing the execution and delivery of a trust indenture to secure such Series 2004 Bonds; authorizing a bond purchase agreement; authorizing a preliminary official statement and a final official statement; authorizing a remarketing agreement; authorizing a tax regulatory agreement; and authorizing other documents in connection with the issuance of the Series 2004 Bonds pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: OFFICE OF PUBLIC INFORMATION... APPROPRIATION
PRESENTATION FOR CALENDAR YEAR 2005...04-1026-004**

LET THE RECORD SHOW: Kathy Lehr, Director, presented the Board with an overview of the operations of the Office of Public Information. The presentation outlined the current duties, budgetary costs and proposed administrative changes for the department.

**IN RE: OFFICE OF ECONOMIC DEVELOPMENT...MEMORANDUM OF
UNDERSTANDING BY AND BETWEEN THE OFFICE OF ECONOMIC
DEVELOPMENT OF CLERMONT COUNTY, OHIO AND THE OHIO
ECONOMIC DEVELOPMENT COUNCIL FOR THE PROTOCOL AND
USE OF THE STATE OF OHIO SITE SELECTION SYSTEM...04-1011-
002YAPPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew Kuchta, Director, Office of Economic Development, with the concurrence of David L. Spinney, County Administrator, to authorize the execution of a Memorandum of Understanding by and between the Office of Economic Development of Clermont County, Ohio, and the Ohio Economic Development Council, 1 Riverside Plaza, Columbus, Ohio 43215, for the protocol and use of the State of Ohio Site Selection System, pursuant to Section 307.07 (B)(2) of the Ohio Revised Code, which authorizes the Director of Economic Development to contract for services necessary to enable him to carry out the

functions and duties of the office, and, in compliance with the terms and conditions set forth therein, will provide for a system of cataloging and disseminating information on available industrial and commercial land and buildings in Clermont County to further entice the location and growth of new businesses in the county.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...SUBSCRIPTION AGREEMENT BY AND BETWEEN THE OFFICE OF ECONOMIC DEVELOPMENT OF CLERMONT COUNTY, OHIO AND AEP T & D SERVICES, LLC FOR THE USE OF THE WWW.PROCURESITE.COM WEB SITE AND DATABASE SYSTEM...04-1011-003YAPPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew Kuchta, Director, Office of Economic Development, with the concurrence of David L. Spinney, County Administrator, to authorize the execution of a Subscription Agreement by and between the Office of Economic Development of Clermont County, Ohio 43215, and AEP T & D Services, LLC, 1 Riverside Plaza, Columbus, Ohio, for the use of the www.e-procuresite.com web site and database system, in the amount of \$300.00 annually, pursuant to Section 307.07 (B)(2) of the Ohio Revised Code, which authorizes the Director of Economic Development to contract for services necessary to enable him to carry out the functions and duties of the office, and, in compliance with the terms and conditions set forth therein, will provide for a system of cataloging and disseminating information on available industrial and commercial land and buildings in Clermont County to further entice the location and growth of new businesses in the county.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: CLERMONT TRANSPORTATION CONNECTION... AGREEMENT WITH SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY FOR TRANSPORTATION SERVICES WITHIN CLERMONT COUNTY...04-1026-003YTABLED

Recommendation of Melissa O=Farrell, Director, Clermont Transportation Connection, with the concurrence of David L. Spinney, County Administrator, to execute an Agreement by and between the Board of County Commissioners and the Southwest Ohio Regional Transit Authority (SORTA), 1014 Vine Street, Suite 2000, Cincinnati, Ohio 45202, to finalize the funding for the provision of transit services within Clermont County by SORTA, for the period of 10/01/04 through 09/30/05, for the current level of service on METRO Routes 82, 28 and 75, with costs not to exceed \$560,231.00, pursuant to the terms and conditions set forth therein.

IN RE: COURT OF COMMON PLEAS/DIVISION OF JUVENILE COURT...APPLICATION FOR FISCAL YEAR 2004 OFFICE OF CRIMINAL JUSTICE SERVICES GRANT FUNDS THROUGH THE JUVENILE ACCOUNTABILITY BLOCK GRANT (JABG) PROGRAM

**FOR CONTINUATION OF GRANT ENTITLED DETENTION/
CORRECTIONS PERSONNEL...04-1026-002YTABLED**

Recommendation of Judge Stephanie Wyler, Court of Common Pleas/Division of Juvenile Court, to execute and file an Application for Fiscal Year 2004 Office of Criminal Justice Services grant funds through the Juvenile Accountability Block Grant (JABG) Program for continuation of the grant entitled Detention/Corrections Personnel, in the amount of \$19,168.00, with a local match from State Reclaim Funds in the amount of \$2,130.00, for a total Program Budget of \$21,298.00, for the period of 01/01/05 through 12/31/05, pursuant to the terms and conditions set forth therein.

**IN RE: DEPARTMENT OF COMMUNITY PLANNING AND
DEVELOPMENTYREQUEST FOR QUALIFICATIONS AND
PROPOSALS FOR CONSULTING SERVICES TO ADMINISTER AND
IMPLEMENT THE FISCAL YEAR 2004-2006 CLERMONT COUNTY
COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP)Y04-1013-
006YAPPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Department of Community Planning and Development, with the concurrence of David L. Spinney, County Administrator, to approve the Request for Qualifications and Proposals for Consulting Services for the administration and implementation of the Fiscal Year 2004-2006 Clermont County Community Housing Improvement Program (CHIP) and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on 10/29/04, with said qualifications and proposals to be received no later than **4:30 P.M. on Monday, 11/08/04** in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio, 45103. This notice is also posted on Clermont County=s internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICESYPURCHASE OF A
SERVICE AGREEMENT WITH EASTWAY CORPORATION FOR THE
PROVISION OF RESIDENTIAL TREATMENT SERVICES FOR
SAMEY04-1015-005YEXECUTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of Cynthia DeWitt, Assistant County Administrator, to execute a Purchase of Service Agreement by and between the County of Clermont, Ohio, and Eastway Corporation, 310 Troy Street, Dayton, Ohio 45404, operating the facility located at 4950 Northcutt Place, Dayton, Ohio 45414, for the provision of residential treatment services for children in the care and/or custody of the Department of Job and Family Services, at the rates as defined therein, effective for the period of 11/01/04 through 10/31/05, pursuant to the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: DEPARTMENT OF PUBLIC SAFETY SERVICES; AWARD OF BIDS
FOR THE PURCHASE OF HOMELAND SECURITY EQUIPMENT
RELATIVE TO THE U.S. DEPARTMENT OF HOMELAND SECURITY,
OFFICE FOR DOMESTIC PREPAREDNESS FISCAL YEAR 2003 PART I
STATE HOMELAND SECURITY GRANT PROGRAM AND
EXECUTION OF CONTRACTS RELATIVE THERETO; 04-0126-
009; RATIFIED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Beth Nevel, Director, Department of Public Safety Services, with the concurrence of Stephen Rabolt, Director, Office of Technology, Communications & Security, to award the bids for the purchase of Homeland Security Equipment relative to the U.S. Department of Homeland Security, Office for Domestic Preparedness Fiscal Year 2003 Part I State Homeland Security Grant Program, pursuant to the specifications, to the following vendors for the items outlined below, for their lowest and best bids therefore received on 07/15/04, and subsequently extended through 10/31/04, at the item prices as outlined therein, for a total amount not to exceed \$53,681.85, and to execute the Contracts relative thereto, pursuant to the terms and conditions set forth therein and award of bids therefore.

| Vendors | Amount | Bid Items |
|---|--------------|--|
| Aramco, Inc. 1655 Imperial Way Thorofare, New Jersey 08086 | \$36,986.25 | 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 13, 14, and 16 |
| Global Protection, LLC 5 Stow Road, Suite H Marlton, New Jersey 08053 | \$ 729.60 | 15 |
| Safety Solutions, Inc. 6161 Shamrock Court Dublin, Ohio 43016-2100 | \$15,966.00 | 10 |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: DEPARTMENT OF PUBLIC SAFETY SERVICES; AWARD OF BIDS
FOR THE PURCHASE OF HOMELAND SECURITY EQUIPMENT
RELATIVE TO THE U.S. DEPARTMENT OF HOMELAND SECURITY,
OFFICE FOR DOMESTIC PREPAREDNESS FISCAL YEAR 2003 PART
II STATE HOMELAND SECURITY GRANT PROGRAM AND
EXECUTION OF CONTRACTS RELATIVE THERETO; 04-0604-
002; RATIFIED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Beth Nevel, Director, Department of Public Safety Services, with the concurrence of Stephen Rabolt, Director, Office of Technology, Communications & Security, to

award the bids for the purchase of Homeland Security Equipment relative to the U.S. Department of Homeland Security, Office for Domestic Preparedness Fiscal Year 2003 Part II State Homeland Security Grant Program, pursuant to the specifications, to the following vendors for the items outlined below, for their lowest and best bids therefore received on 07/15/04, and subsequently extended through 10/31/04, at the item prices as outlined therein, for a total amount not to exceed \$214,101.21, and to execute the Contracts relative thereto, pursuant to the terms and conditions set forth therein and award of bids therefore and further to waive any irregularity in the bond documents submitted with the bid of Fisher Scientific Company.

| Vendors | Amount | Bid Items |
|---|--------------|---|
| Aramsko, Inc. 1655 Imperial Way Thorofare, New Jersey 08086 | \$184,161.00 | 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 24, 25, 26, 30, 31, 32, 36, 38, 44, 49, 50 |
| Fisher Scientific Company 2000 Park Lane Pittsburg, Pennsylvania 15275-1126 | \$ 12,704.19 | 37, 43, 46, 47, 48, 52, 53, 55, 56, 57, 58, 59, 60 |
| Global Protection, LLC 5 Stow Road, Suite H Marlton, New Jersey 08053 | \$ 5,266.80 | 20, 21, 22, 23, |
| Safety Solutions, Inc. 6161 Shamrock Court Dublin, Ohio 43016-2100 | \$ 11,969.22 | 18, 19, 27, 28, 29, 35, 40, 42, 45, 54 |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: DEPARTMENT OF PUBLIC SAFETY SERVICESȳAWARD OF BID FOR
THE PURCHASE OF HOMELAND SECURITY EQUIPMENT
RELATIVE TO THE U.S. DEPARTMENT OF HOMELAND SECURITY,
OFFICE FOR DOMESTIC PREPAREDNESS FISCAL YEAR 2003 PART I
AND PART II, MODIFIED ITEMS, STATE HOMELAND SECURITY
GRANT PROGRAM AND EXECUTION OF CONTRACT RELATIVE
THERETOȳ04-0819-002ȳRATIFIED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Beth Nevel, Director, Department of Public Safety Services, with the concurrence of Stephen Rabolt, Director, Office of Technology, Communications and Security, to award the bid for the purchase of Homeland Security Equipment relative to the U.S. Department of Homeland Security, Office for Domestic Preparedness Fiscal Year 2003 Part I and Part II, Modified Items, State Homeland Security Grant Program, to Aramsco, Inc., 1655 Imperial Way, Thorofare, New Jersey 08086, for their lowest and best bid therefore received on 09/09/04, at the item prices as outlined therein, for a total amount not to exceed \$95,745.22, and to execute the Contract relative thereto, pursuant to the terms and conditions set forth therein and award of bid therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: CLERMONT COUNTY SEWER DISTRICT...AWARD OF BIDS FOR

**PROJECT NUMBERS 621-06801 AND 621-06802 RELATIVE TO THE
CONSTRUCTION OF THE BRANCH HILL/LOVELAND AREA
ELEVATED TANK PROJECT LOCATED WITHIN MIAMI TOWNSHIP
AND EXECUTION OF CONTRACTS RELATIVE THERETO...RATIFIED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Mark Jaehnen, Engineering Coordinator, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to award the bids for Project Numbers 621-06801 and 621-06802 relative to the construction of the Branch Hill/Loveland Area Elevated Tank Project located in Miami Township, pursuant to the plans and specifications therefore, to the following contractors as outlined below, for their lowest and best bids therefore received on 09/09/04, at the item prices as outlined therein, and to execute the Contracts relative thereto, pursuant to the terms and conditions set forth therein and the award of bids therefore.

| Contractor | Contract | Amount |
|---|--|----------------|
| CB & I Constructors, Inc. Blaymore II, Suite 207 Sewickley, Pennsylvania 15143 DC# 04-0804-004 | General Project Number 621-06801 | \$1,648,000.00 |
| Lake Erie Electric, Inc. 360 Industrial Drive Franklin, Ohio 45005 DC# 04-1019-001 | Electrical Project Number 621-06802 | \$ 29,950.00 |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: CLERMONT COUNTY SEWER DISTRICTYGRANTS OF SEWER
EASEMENTS WITH RIGHTS OF RE-ENTRY FOR REPAIR AND
REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE
COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER 651-0855
RELATIVE TO THE MUELLER MEADOWS SANITARY SEWER
CONNECTION PROJECT LOCATED WITHIN MIAMI TOWNSHIPY04-
1014-004YACCEPTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Carole S. Schulze, Negotiator, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to accept the following Grants of Sewer Easements with Rights of Re-Entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, removing or reinstalling sewer utility lines and all incidental appurtenances required for the transportation of sewage on, under, and across the properties of the Grantors relative to Project Number 651-0855 for the construction of the Mueller Meadows Sanitary Sewer Connection Project located within Miami Township, and to authorize payment as compensation for the Permanent Easements and Rights-of-Ways granted thereby and Repairs relative thereto, as outlined below:

| Grantor | Parcel Number | Compensation |
|---------|---------------|--------------|
|---------|---------------|--------------|

| | | |
|---|--|--|
| Theresa M. and Gerald L. Muennich 840 Travis Court Loveland, Ohio 45140 | 17-25-17B-216 Lot 39 Replat 629-2224* *previously approved by the Board on 09/22/04 as submitted by the Engineer=s Office | \$2,500.00/Perm. \$2,500.00/Repairs |
| Mark and Janet A. McCarthy 843 Travis Court Loveland, Ohio 45140 | 17-25-17B-217 Lot 40 Replat 629-2224* *previously approved by the Board on 09/22/04 as submitted by the Engineer=s Office | \$3,600.00/Perm. \$3,400.00/Repairs |
| Hyllgarth Properties, LLC 1867 Cole Farm Lane Loveland, Ohio 45140 | 17-25-17B-379, 380 & 176 | \$5,500.00/Perm. |
| Julie Eddleman and April M. Keil 6667 Paxton-Guinea Road Loveland, Ohio 45140 | 17-46-10A-025 | \$3,726.00/Perm. |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: CLERMONT COUNTY SEWER DISTRICT...MAINTENANCE BOND AS SURETY FOR THE INSTALLATION OF A SANITARY SEWER MAIN EXTENSION FOR SHANNON LANE LOCATED WITHIN UNION TOWNSHIPȳ04-1018-002ȳEXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to execute a Maintenance Bond in the amount outlined below as surety for the installation of a Sanitary Sewer Main Extension for the following location:

| Subdivision/Location | Township | Sewer |
|------------------------------|----------|------------|
| Shannon Lane Sewer Extension | Union | \$1,000.00 |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: CLERMONT COUNTY SEWER DISTRICT...ACCEPTANCE OF THE CONTRACT WITH CRACE CONSTRUCTION COMPANY FOR PROJECT NUMBER 651-0590 RELATIVE TO THE MIAMI TRAILS WASTEWATER TREATMENT PLANT EXPANSION PROJECT LOCATED WITHIN MIAMI TOWNSHIP AS COMPLETE AND APPROVAL OF ESTIMATE FOR PARTIAL PAYMENT NUMBER 14,

**FINAL, FOR THE RELEASE OF RETAINAGE AND PROGRESS
PAYMENT RELATIVE THERETO...02-0226-003yAPPROVED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Controller, Office of Management & Budget, with the concurrence of Lyle Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to accept the Contract by and between the County of Clermont, Ohio, and Crace Construction Company, 316 Main Street, Piketon, Ohio 45661, for Project Number 651-0590, relative to the Miami Trails Wastewater Treatment Plant Expansion Project located within Miami Township, as complete as of 10/31/03 and to approve the Estimate for Partial Payment Number 14, Final, which represents the release of retainage in the principal amount of \$48,505.20, plus accrued interest earned thereon, as well as a progress payment in the amount of \$684.04, for a total payment of \$49,189.24, with the retainage principal released in two checks (1) joint check payable to Wild-Fire Inc., and Crace Construction Company, as Wild-Fire Inc. is a subcontractor to Crace for this project and is still owed money on the project, in the amount of \$777.61 with no accrued interest, and (2) a check payable to Crace Construction Company in the amount of \$47,727.59 plus accrued interest.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

LET THE RECORD SHOW: THAT A MOTION BY MR. CROSWELL, SECONDED BY MR. PROUD, TO RECESS REGULAR SESSION AT 12:27 P.M. TO BE RECONVENED AT 1:30 P.M. THIS DATE, CARRIED WITH ALL MEMBERS PRESENT VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE BOARD RECONVENED REGULAR SESSION AT 1:51 P.M.

**IN RE: CLERMONT TRANSPORTATION CONNECTION... AGREEMENT
WITH SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY FOR
TRANSPORTATION SERVICES WITHIN CLERMONT COUNTY...04-
1026-003yEXECUTED**

LET THE RECORD SHOW: Mike Setzer, General Manager of Southwest Ohio Regional Transit Authority (SORTA), addressed the Board in regards to budgetary issues and concerns pertaining to SORTA.

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Melissa O=Farrell, Director, Clermont Transportation Connection, with the concurrence of David L. Spinney, County Administrator, to execute an Agreement by and between the Board of County Commissioners and the Southwest Ohio Regional Transit Authority (SORTA), 1014 Vine Street, Suite 2000, Cincinnati, Ohio 45202, to finalize the funding for the provision of transit services within Clermont County by SORTA, for the period of 10/01/04 through 09/30/05, for the current level of service on METRO Routes 82, 28 and 75, with costs not to exceed \$560,231.00, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: COURT OF COMMON PLEAS/DIVISION OF JUVENILE COURT...APPLICATION FOR FISCAL YEAR 2004 OFFICE OF CRIMINAL JUSTICE SERVICES GRANT FUNDS THROUGH THE JUVENILE ACCOUNTABILITY BLOCK GRANT (JABG) PROGRAM FOR CONTINUATION OF GRANT ENTITLED DETENTION/ CORRECTIONS PERSONNEL...04-1026-002✓EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Judge Stephanie Wyler, Court of Common Pleas/Division of Juvenile Court, to execute and file an Application for Fiscal Year 2004 Office of Criminal Justice Services grant funds through the Juvenile Accountability Block Grant (JABG) Program for continuation of the grant entitled Detention/Corrections Personnel, in the amount of \$19,168.00, with a local match from State Reclaim Funds in the amount of \$2,130.00, for a total Program Budget of \$21,298.00, for the period of 01/01/05 through 12/31/05, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

LET THE RECORD SHOW: A MOTION BY MR. CROSWELL, SECONDED BY MR. PROUD, TO GO INTO EXECUTIVE SESSION AT 1:55 P.M. PURSUANT TO SECTION 121.22(G)(4) OF THE OHIO REVISED CODE REGARDING COLLECTIVE BARGAINING CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 2:32 P.M. WITH NO ACTION TAKEN.

IN RE: COUNTY SHERIFF...COLLECTIVE BARGAINING AGREEMENT WITH THE FRATERNAL ORDER OF POLICE REPRESENTING THE DEPUTY SHERIFFS OF THE CLERMONT COUNTY SHERIFF'S DEPARTMENT...04-1018-001✓EXECUTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of A. J. Rodenberg, County Sheriff, with the concurrence of David L. Spinney, County Administrator, to execute Collective Bargaining Agreement by and between the County of Clermont, Ohio, and the Fraternal Order of Police, Ohio Labor Council, Inc., representing the Deputy Sheriffs of the Clermont County Sheriff's Department effective 03/01/04 through 02/28/07 pursuant to the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: COUNTY ENGINEER...AWARD OF BID FOR PROJECT NUMBER BX-02-04 FOR THE MATERIAL PURCHASE OF ALUMINUM BOX CULVERTS RELATIVE TO THE BRUSHY FORK ROAD BRIDGE REPLACEMENT PROJECTS C22-1.87 AND C22-1.90 LOCATED WITHIN STONELICK TOWNSHIP AND EXECUTION OF CONTRACT RELATIVE THERETO...04-0519-001YRATIFIED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to award the bid for Project Number BX-02-04 for the Material Purchase of Aluminum Box Culverts relative to the Brushy Fork Road Bridge Replacement Projects C22-1.87 and C22-1.90 located within Stonelick Township, pursuant to the specifications therefore, to Buckeye Culvert & Supply Company, Inc., 3013 Noddin Way, Portsmouth, Ohio 45662, for their lowest and best bid therefore received on 09/09/04, in the amounts of \$40,586.40 and \$42,261.21, respectively, and to execute the Contract relative thereto, pursuant to the terms and conditions set forth therein and the award of bid therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: COUNTY ENGINEER...PERMANENT AND/OR TEMPORARY EASEMENTS HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER JA-11-03 RELATIVE TO THE BURDSALL ROAD BRIDGE (C25-1.83) REPLACEMENT AND ROADWAY IMPROVEMENTS PROJECT LOCATED WITHIN JACKSON TOWNSHIP...04-1014-002YACCEPTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept the following Permanent and/or Temporary Easements heretofore granted and conveyed to the County of Clermont, Ohio, for roadway purposes necessary for Project Number JA-11-03 relative to the Burdsall Road Bridge (C25-1.83) Replacement and Roadway Improvements Project located within Jackson Township, and to authorize payment as compensation for the Permanent and/or Temporary Easements and Right-of-Ways granted thereby and Repairs relative thereto, as outlined below:

| Grantor | Parcel Number | Compensation | |
|--|---------------|--------------|-------------|
| Anthony G. & Jane L. Werring5142 Burdsall Road Williamsburg, Ohio 45176 | 14-23-07J-044 | Perm | \$ 1,331.75 |
| | | Temp | \$ 450.20 |
| | | Repairs | \$ 500.00 |
| Nick A. & Crystal Ann Wiederhold 5143 Burdsall Road Williamsburg, Ohio 45176 | 14-23-07J-049 | Temp | \$ 200.00 |
| Timothy J. & Sandra K. Ross 5139 Burdsall Road | 14-23-07J-050 | Temp | \$ 200.00 |

| | | |
|--|---------------|--|
| Williamsburg, Ohio 45176 | | |
| Floyd R. & Janis R. Reynolds 5143-A Burdsall Road Williamsburg, Ohio 45176 | 14-23-07J-051 | Temp \$ 200.00 |
| Thomas R. & Elizabeth A. Collins 4310 Gary Lane Batavia, Ohio 45103 | 14-23-07J-053 | Perm \$ 1,103.06 Temp \$ 200.00 |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBERS 176-04 AND 177-04/CONVERSION OF COMBINED PERFORMANCE-MAINTENANCE BONDS FOR VARIOUS SUBDIVISIONS IN BATAVIA TOWNSHIP...ADOPTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Numbers **176-04** and **177-04** to convert the Combined Performance-Maintenance Bonds in the amounts listed below, for the construction of streets in the stated lengths within the following Subdivisions in Batavia Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion thereof:

| Subdivision/Location | Perf./Maint. | Street/Length (miles) |
|---|-----------------------------|--|
| Batavia Lakes Phase 2 Batavia Township Resolution #176-04 DC# 00-1108-001 *Secured by Irrevocable Standby Letter of Credit Number OSB.002190 issued by The Huntington National Bank, International Operations-EA4C57, 7 Easton Oval, Columbus, Ohio 43219. | \$43,000.00/ \$13,000.00 | Mallard Drive Ext. (0.208) Pochard Drive Ext. (0.217) Canvasback Circle Ext. (0.098) |
| Woodlands Section 4E Batavia Township Resolution #177-04 DC# 02-1017-002 | \$18,000.00/ \$8,000.00 | Applewood Drive Ext. (0.078) Appletree Drive (0.135) Apple Court (0.037) |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: COUNTY ENGINEER...RELEASE OF PERFORMANCE BONDS AS SURETY FOR SIDEWALKS FOR SHAYLER CROSSING TWO, SECTION 2 AND CHANTICLEER WOODS, SECTION 5, LOCATED WITHIN UNION TOWNSHIP...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of the Performance Bonds for Sidewalks in the amounts as follows for the following Subdivisions located within Union Township:

| Subdivision/Location | Sidewalk Bond |
|---|---|
| Shayler Crossing Two Section 2 Union Township DC# 99-0817-001 | \$6,500.00 One Year Performance Bond |
| Chanticleer Woods Section 5 Union Township DC# 94-1216-041 *Secured by Irrevocable Standby Letter of Credit Number STI01497 issued by Bank One, Columbus, NA, International Division, 100 E. Broad Street, Columbus, Ohio 43271-0214 | \$28,000.00 Three Year Performance Bond |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: COUNTY ENGINEER...RECORD PLAT NUMBERS 629-2236 AND 629-2237 FOR THE CREATION OF A FIVE ACRE SUBDIVISION FOR DENNISON=S ESTATE AND STONELICK SPRINGS SUBDIVISIONS LOCATED WITHIN GOSHEN AND STONELICK TOWNSHIPS...EXECUTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Numbers **629-2236** and **629-2237** for the creation of a five acre Subdivision as outlined below for the following Subdivisions located within Goshen and Stonelick Townships:

| Subdivision/Location | Record Plat Number | Street |
|---|--------------------|--|
| Dennison=s Estate Block A, Lot 1 Goshen Township DC# 04-1022-002 | 629-2236 | Dennison Lane, a private street not for public maintenance |
| Stonelick Springs Stonelick Township DC# 04-1022-001 | 629-2237 | Carey Lane, a private street not for public maintenance |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: BOARD OF COUNTY COMMISSIONERS...PETITION FOR ANNEXATION OF 7.642 ACRES FROM BATAVIA TOWNSHIP TO THE

**VILLAGE OF AMELIA, CLERMONT COUNTY, OHIO, PURSUANT TO
SECTION 709.023 OF THE OHIO REVISED CODE...04-
1021B002...ACCEPTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation to accept the Petition for Annexation of 7.642 Acres from the unincorporated area of Batavia Township, Clermont County, Ohio, to the Village of Amelia, Clermont County, Ohio, filed in the Office of the Board of County Commissioners on Thursday, October 21, 2004, at 3:56 P.M., by Christine J. Patterson, for and on behalf of Richard A. Paolo, Attorney at Law, with Aronoff, Rosen & Hunt, 2200 U.S. Bank Tower, 425 Walnut Street, Cincinnati, Ohio 45202, the designated Agent for the Petitioners, Vivian Lipari, 53 Amelia Olive Branch Road, Amelia, Ohio 45102 (PIN 032023E026/4.311 Acres), George Husted, 43 Amelia Olive Branch Road, Amelia, Ohio 45102 (PIN 032023E047/1.150 Acres), and Donohoo-Williams Investments, Ltd, whose mailing address is 3828 Round Bottom Road, Cincinnati, Ohio 45244 for real property located at 61 Amelia Olive Branch Road, Amelia, Ohio 45102 (PIN 032023E059/2.331 Acres), pursuant to Section 709.023 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS & SECURITY...
APPROPRIATION PRESENTATION FOR CALENDAR YEAR 2005...04-
1026-006**

LET THE RECORD SHOW: Stephen Rabolt, Director, presented the Board with an overview of budgetary costs, prioritized projects and capital plans for Calendar Year 2005 for the Office of Technology, Communications & Security.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Proud, to approve the minutes of Work Session of **08/10/04, 09/08/04, 09/14/04, 09/29/04, 10/05/04 and 10/06/04** carried with all members present voting affirmatively thereupon.

**IN RE: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF
APPOINTMENT TO THE BOARD OF MENTAL RETARDATION AND
DEVELOPMENTAL DISABILITIES BOARD...**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation to appoint Jeffrey Forbes, 5838 Irish Dude Drive, Loveland, Ohio 45140, to the Clermont County Board of Mental Retardation Developmental Disabilities to fill the unexpired term of Jennifer Chamberlain, 5852 Whitegate Court, Milford, Ohio 45150, effective 10/27/04 to 12/31/05.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: COUNTY RECORDER...PROPOSAL FOR UTILIZATION OF FUNDS
FROM INCREASED FEES PURSUANT TO SECTION 317.321 OF THE
OHIO REVISED CODE...04-1026-001...DISCUSSION**

Representatives of the Clermont County Recorder met with the Board at 3:00 P.M. this date, as scheduled by the Board in its regular session of 10/26/04 relative to the Recorder's Supplemental Fund proposal. Proposal is requesting the set-aside of funds not to exceed \$4.00 of the fee collected for filing or recording a document for which a fee is charged as required by Division (A) of Section 317.32 of the Ohio Revised Code or by Sections 1309.40, 1309.42, 1309.43 or 5310.15 of the Ohio Revised Code and to be placed in the County Treasury and designated "General Fund monies to supplement the equipment needs of the County Recorder" for the acquisition or maintenance of micrographics or other equipment for calendar years 2005 through 2008. Romain Walker, Clermont County Recorder's office, outlined the proposed budget and purchases for the referenced fund.

LET THE RECORD SHOW: That a motion by Mr. Proud, seconded by Mr. Croswell, to approve the minutes of Regular Session of **10/27/04** carried with all members present voting.

IN RE: ADJOURNMENT...

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO

MARY C. WALKER, PRESIDENT

ROBERT L. PROUD, VICE PRESIDENT

R. SCOTT CROSWELL III, MEMBER

JUDITH KOCICA, CLERK OF THE BOARD

10/27/04
DATE APPROVED